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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Cr. No. 08-0687GT Plaintiff, **ORDER** v. NOEL BASALDUA-LOPEZ,

Defendant.

On April 30, 2008, Defendant, Noel Basaldua-Lopez ("Mr. Basaldua"), filed a Motion to Amend Order. Specifically, Mr. Basaldua requests this Court to amend its prior order for a presentence report. Even though the plea agreement calls for a stipulated sentence, this Court is not bound by that plea agreement. This Court ordered a presentence report to obtain all the information about Mr. Basaldua so that the Court can appropriately consider all the factors of 18 U.S.C. § 3553 (a). Accordingly,

IT IS ORDERED that Mr. Basaldua's Motion to Amend Order is DENIED.

IT IS SO ORDERED.

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GORDON THOMPSON, JR.
United States District Judge

cc: All counsel and parties without counsel